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Senate

LEGISLATIVE SESSION

RESPECT FOR MARRIAGE ACT— Resumed

The PRESIDENT pro tempore. Under the previous order, the Senate will resume consideration of H.R. 8404, which the clerk will report.

The senior assistant legislative clerk read as follows:

A bill (H.R. 8404) to repeal the Defense of Marriage Act and ensure respect for State regulation of marriage, and for other purposes.

Pending:

Schumer (for Baldwin) amendment No. 6487, in the nature of a substitute.

Schumer amendment No. 6488 (to amendment No. 6487), to add an effective date.

Schumer amendment No. 6489 (to amendment No. 6488), to add an effective date.

Mr. LUJÁN. I suggest the absence of a quorum.

The PRESIDENT pro tempore. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. SCHUMER. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER (Mr. LUJÁN). Without objection, it is so ordered.

RECOGNITION OF THE MAJORITY LEADER

The majority leader is recognized.

H.R. 8404

Mr. SCHUMER. Mr. President, for millions and millions of Americans, today is a very good day, an important day, a day that has been a long time coming: We are voting to pass the Respect for Marriage Act. Later this afternoon, with a little more bipartisan cooperation, the Senate will vote to pass the Respect for Marriage Act, putting it on the brink of reaching the President's desk.

In many ways, the story of America has been a difficult but inexorable march toward greater equality. Sometimes we have taken steps forward.

Other times, unfortunately, we have taken disturbing steps backward. But, today, after months of hard work, after many rounds of bipartisan talks, and after many doubts that we could even reach this point, we are taking a momentous step forward for greater justice for LGBTQ Americans.

Let me summarize how today will proceed. Later this afternoon, per an agreement between both parties, the Senate will hold three rollcall votes on amendments presented by Senators LEE, LANKFORD, and RUBIO. A vote on final passage for the Respect for Marriage Act will be held after that.

Standing here today, with the passage of this legislation, it is impossible not to think of my family. Today, I am wearing the tie I wore at my daughter's wedding, one of the happiest moments in my life. But I also cannot help but recall the harrowing conversation I had with her and her wife a little more than 2 years ago.

In September of 2020, I was in the middle of a family dinner when we received the news that Justice Ruth Bader Ginsburg had passed away. I remember that awful feeling around the dinner table, and I distinctly remember the question my daughter and her wife asked: "Could our right to marry be undone?"

Millions of Americans in same-sex marriages go about their day with this terrible question lurking in the back of their minds. It is scary. It is a scary, but necessary, acknowledgement that, despite all the progress we have made, the constitutional right to same-sex marriage is not even a decade old and exists only by the virtue of a very narrow 5-to-4 Supreme Court decision.

And we all know the Court has changed since that decision. As we have already seen this year, what the Court has decided in the past can be easily taken away in the future.

So today's vote is deeply personal for many of us in this Chamber. It is personal for me, of course. It is personal

The Senate met at 12 noon and was called to order by the President pro tempore (Mr. LEAHY).

PRAYER

The Chaplain, Dr. Barry C. Black, offered the following prayer:

Let us pray.

O God, in whom is calmness, peace, and harmony, thank You for flourishing faith and growing love. Keep us from dissension and bring us to the unity of Your power.

Lord, give us the grace to stay on the road of virtuous and godly living. Bring us into an ever deeper understanding of Your will. Give our Senators Your peace and an awareness of Your abiding presence. May they exercise self-control and be faithful in everything they do.

Lord, empower them to cling tightly to their faith in You and to keep their consciences clear. We trust in You and know that You will lead us by Your truth.

We pray in Your powerful Name. Amen.

PLEDGE OF ALLEGIANCE

The President pro tempore led the Pledge of Allegiance, as follows:

I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

RESERVATION OF LEADER TIME

The PRESIDENT pro tempore. Under the previous order, the leadership time is reserved.

CONCLUSION OF MORNING BUSINESS

The PRESIDENT pro tempore. Morning business is closed.

• This "bullet" symbol identifies statements or insertions which are not spoken by a Member of the Senate on the floor.



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to many of my colleagues and their staff and their families. And while we still have a few more votes to take, today is certainly an occasion for joy and relief.

But as important as today is, let's remember that nothing about this process was certain. Remember—remember—it was our original plan to act on the Respect for Marriage Act in September, shortly after the House voted to pass this bill over the summer with a surprising 47 Republicans voting for the act. We knew this bill was popular.

We knew it was the right thing to do, but what we did not know is whether or not we had enough support, 60 votes, to pass this bill through the Senate. Maybe the votes would materialize if we forced a vote on the floor, but that was highly unlikely. And for a great number of us, for so much of America, this bill was too important to risk failure.

So back in September, when I met with the leaders of this bill in my office—Senators SINEMA and BALDWIN and COLLINS and TILLIS and PORTMAN—they recommended I hold off on a vote because they believed they could secure enough support for this bill.

Many questioned if it was the right thing to do. Many on my side of the aisle felt: Put everyone on record right now. And sometimes, they say, that is the way to go. But at the end of the day, my No. 1 priority is always to get legislation passed through the Senate. So I made the decision to take the risk and to wait.

Today, we have vindication that the wait was well worth it. Pushing Respect for Marriage over the finish line required patience and persistence, and, today, it is paying off.

I want to thank the Senators who brought us this far—Senators SINEMA and BALDWIN, as well as COLLINS and TILLIS and PORTMAN—for their outstanding and relentless work. Their work has been magnificent, and I am so thankful they stayed the course even when success may have seemed elusive.

I also want to acknowledge my Republican colleagues who voted in favor of advancing this legislation. Because of our work together, the rights of tens of millions of Americans will be strengthened under Federal law. That is an accomplishment we should all be proud of.

And, of course, I want to thank all of the advocates, volunteers, and organizers not just for supporting this bill but for everything they have done over the years to make the United States a fairer, more accepting nation for LGBTQ Americans.

Finally, let me finish where I started. Two years after my daughter and her wife questioned if their marriage could be undone, they are now expecting a baby next spring. I want them to raise their child with all the love and security that every child deserves, and the bill we are passing today will ensure their rights won't be trampled upon simply because they are in a same-sex

marriage. After this bill passes, they will be the very first people I call.

So thank you to my colleagues who spearheaded this bill. Thank you to my colleagues who have supported this bill. Thank you to the staff and members who worked day and night to find a path forward. And, maybe above all, thank you to the American people, the vast majority of whom have understood that the inexorable march toward equality is what America is all about.

GOVERNMENT FUNDING

Mr. President, on a different subject, the omnibus, earlier this morning, I joined with congressional leaders in a meeting with President Biden at the White House in order to discuss the things we must accomplish before the end of the year. We covered a lot of different topics, but there is one I want to focus on right now—passing an omnibus.

Leader MCCONNELL and I have agreed to try and work together to make sure we get a yearlong funding bill done. We hope it can be done this year, and we know that each side is going to have to give in order to send an omnibus to the President's desk as, of course, it needs 60 votes.

Government funding is scheduled to run out on December 16 at midnight. If we don't take action, the results will be a pointless and painful government shutdown. The best option, by far, is for both parties to come to the table and work on a yearlong funding bill, not a continuing resolution. Lurching from one short-term continuing resolution to the next is a terrible and chaotic way to keep the government open, and ultimately it is average Americans who get a raw deal if the government is forced to function with one hand tied behind its back.

And maybe worst of all, a CR is terrible news for our troops in uniform. It will throw their families into great uncertainty and prevent our security force from conducting crucial operations that will keep us safe, particularly in the Indo-Pacific. So unless we want adversaries like the Chinese Communist Party to outmaneuver us militarily, we must pass an omnibus for the sake of our troops and the sake of our national security.

I yield the floor.

I suggest the absence of a quorum.

The PRESIDING OFFICER. The clerk will call the roll.

The senior assistant legislative clerk proceeded to call the roll.

Mr. MCCONNELL. Mr. President, I ask unanimous consent that the order for the quorum call be rescinded.

The PRESIDING OFFICER. Without objection, it is so ordered.

RECOGNITION OF THE MINORITY LEADER

The Republican leader is recognized.

CHINESE PROTESTS

Mr. MCCONNELL. Mr. President, the world's eyes are trained this week on the people of China who appear to be engaged in the largest and most wide-

spread protests against the country's repressive Communist Party government since 1989 and the events of Tiananmen Square.

While most of the rest of the world has learned how to adapt to the coronavirus, mitigate its worst effects, and get on with living our lives, the people of China, where the whole crisis began, are still trapped in a "Groundhog Day" of permanent pandemic measures.

Chairman Xi's so-called Zero COVID policy is managing to be both horribly repressive and totally ineffective at the very same time—horribly repressive and totally ineffective at the very same time. They have had unending cycles of punishing lockdowns, repressive quarantines, and mass testing.

Reports and social media posts are flying around the country—like allegations that the government let people burn up in an apartment building fire rather than break quarantine and that a 4-month-old baby girl died because the COVID rules did not allow her to get proper medical treatment. Of course, sadly, none of this is new or an aberration. This is actually perfectly in line with the CCP's long and brutal history.

As in the past, the CCP is failing their citizens and lying about it. When the rest of the world tunes in to World Cup matches, they see cheering crowds. But in China, the broadcasts censor views of the stands to prevent their citizens from seeing unmasked foreigners enjoying actually a normal life.

The people of China have put up with this dystopian state of affairs for nearly 3 years now, and now their patience has ended. Across China's major cities, residents are taking to the streets and speaking out. Local, civil protests are not uncommon in China, but these protests appear to have a different character—more widespread, more bold and brave, more fed up.

Unsurprisingly, demonstrators have received harsh treatment from the authorities who reportedly have beaten protesters and detained a foreign journalist covering the events.

The state media keeps parroting propaganda, but video evidence of the protests and the heavyhanded response is getting through the CCP's "Great Firewall." Thus far, the people have not backed down.

Now, you hear some people suggesting that if a clumsy authoritarian nation is facing such troubles at home, it must pose less of an international threat than we thought. Ah, but this is precisely wrong. Vladimir Putin's previous aggressions against Georgia and Ukraine, its operations in Chechnya and Syria, and now this latest brutal war show exactly how even clumsy and dysfunctional regimes can inflict a terrible toll on free nations and free peoples. Iran, North Korea, and Syria have spent decades proving the very same thing. Of course, China isn't declining; it is continuing to expand and modernize its military power. And Xi and

his CCP constantly show us that their view of denying their own people's freedom at home and disrupting other countries' freedom through the Indo-Pacific has two goals that actually go hand in hand. For thugs and dictators, repression at home and aggression abroad are two sides of the same coin.

So when we see the mismanagement and dysfunction from regimes like Putin's and Xi's, the answer is not—for America and our allies to relax our vigilance, pull inward, or pay less attention to our global interests; the answer is to increase our vigilance, redouble our strength, and keep our friends and partners even closer.

The Biden administration's statement yesterday on the Chinese people's protest was actually too tepid. But what we need are not just stronger short-term words but stronger long-term actions and strategies.

The support that America and our friends have provided to Ukraine has not just been an act of philanthropy to an innocent people who deserve help fighting off the invaders; it is also bringing major benefits to the United States and our partners in the most practical terms.

In the course of fighting for their homes and families, the brave people of Ukraine are seriously degrading the abilities of one of the free world's greatest self-appointed adversaries to deal out violence. Putin and other wannabe tyrants the world over are learning that the cost-benefit calculus to bullying and bloodshed doesn't look like they thought it would.

The importance of this deterrence goes beyond just Europe. China has spent decades investing steadily in military technologies that increase threats to U.S. forces and our allies in the region. The CCP has steadily built military installations in the South China Sea, like a bully standing on a street corner, trying to grab control over international waters and shipping lanes. China has spent years methodically building up the very capabilities it would need to seize Taiwan by force if its people refuse to bend the knee, as we have already seen them do in Hong Kong.

So clearly we need to invest in our own strength, in our own alliances, in our own military modernization and defense industrial base.

The United States needs a strong, well-equipped military capable of preserving the strategic advantage and projecting power anywhere in the world. We need allies and partners willing to invest in their own capabilities. We need our private sector and our partners to understand that free peoples ought to be doing more trading among ourselves but be a lot more careful locating their capital and their employees in a repressed country that disregards basic freedoms and steals intellectual property on an industrial scale.

We need a sufficient military industrial base to keep ourselves safe and re-

main the free world's arsenal—a win-win for our security and for our economy. Among other things, that means rebuilding munitions stockpiles and weapons inventories that have been allowed to atrophy since the end of the Cold War. It means not waiting to arm and train our partners until a bad actor has already started a war. It means not wasting American strength and credibility, as this administration has done by desperately chasing sweetheart deals with Iran and abandoning Afghanistan with no strategy.

Providing for the common defense is one of our basic duties here in Congress. The Democratic leader should have prioritized the National Defense Authorization Act months ago. I am glad we will finally be turning to this essential bill shortly. Strong funding and strong authorization for our national security should never have to be a partisan issue. I know our Democratic friends have internal disagreements about what level of funding our Armed Forces deserve, but Republicans can guarantee this much: Our side will keep standing strong for American security and American strength.

RECESS

The PRESIDING OFFICER. Under the previous order, the Senate stands in recess until 2:15 p.m.

Thereupon, the Senate, at 12:51 p.m., recessed until 2:15 p.m. and reassembled when called to order by the Presiding Officer (Ms. SINEMA).

RESPECT FOR MARRIAGE ACT— Continued

The PRESIDING OFFICER. The Senator from Colorado.

CLUB Q SHOOTING

Mr. BENNET. Madam President, before the Thanksgiving break, I planned to use my time today to talk about the Respect for Marriage Act, with which the Presiding Officer has had such an important role playing, and I want to congratulate her on the incredible work that she has done to get this over the finish line, because we are on the verge of passing the Respect for Marriage Act in the U.S. Senate. It is a historic piece of legislation to ensure that if a same-sex or interracial couple marries in one State, that every State has to honor that marriage. The Federal Government has to honor that marriage as well.

There may be no right closer to the heart than marrying the one that you love, and Colorado understands that. And I was going to come down here to talk about how, over decades, my State has led the way on equality. We recognized civil unions in 2013. We banned conversion therapy in my State. We passed our own version of the Equality Act in Colorado.

I was going to come down here and tell you about how Colorado understands what equality has come to mean

in America in 2022, but in the last week, I have been reminded again just how far we have to go.

Last Sunday, Coloradans woke up to the news that Club Q—a loving, accepting, 20-year old LGBTQ club in Colorado Springs—had been the target of a mass shooting. Five Coloradans were killed, and at least 22 were injured.

In the days since, Coloradans have described Club Q as a center of community building, a place where everyone could be their true selves and live without fear.

Club Q's owner, Nic Grzecka, said he founded the club to “be that safe place for people to come and feel and understand that they are normal—that the way they feel is normal and there are people just like them.”

As a father, that is what I hope for my three daughters, and, as a former school superintendent, that is what I wish for the children that I worked for. We want our kids to feel normal and loved and like they belong.

But on November 19, these feelings of safety and acceptance that Club Q had built over two decades were shattered. On the same day that we recognized Trans Day of Remembrance, we added more names to the solemn toll in this country, when a violent young man, radicalized by hateful and divisive rhetoric, killed five people and forever changed a community, forever changed my State.

In minutes, he robbed from us brothers and sisters and daughters and sons, friends, and loved ones, who were there just being themselves, not bothering anybody.

He took from us Derrick Rump, a 38-year-old bartender and co-owner of Club Q, who bought groceries for others during the hardest 2 months of the pandemic; Daniel David Aston, 28 years old, a bar supervisor known as the “master of silliness” because of his contagious happiness and joy; Kelly Loving, 40 years old, who had just moved to Colorado and was trying to enjoy a weekend trip to Colorado Springs; Ashley Paugh, 35 years old, a devoted mother and nonprofit worker, who loved hunting and fishing, like so many other Coloradans, and was there to support the community; and Raymond Green Vance, 22 years old—22 years old—who grew up in Colorado Springs and had just started a new job and was saving up for his own apartment.

I am thinking of them and their families and all of those who survived this terrible tragedy in Colorado—people who imagined that there was one space that you could go to feel safe, and then this happens.

It fills me with rage that it happened. It fills me with sadness. It should fill the entire Senate with rage and sadness.

And if it weren't for the courage of people like Richard Fierro and Thomas James, the list of names I read, already too long, would have been longer.

Thomas James, a petty officer second class in the Navy, used his military crisis training to help subdue the